## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA

No. 5:06-CR-54-1BR

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JEREMY DA	AGAN JAY	NES	)					

This matter is before the court on motion of the government for a downward departure pursuant to Rule 35 of the Federal Rules of Criminal Procedure. The motion is ALLOWED and the judgment of this court dated 6 May 2008 is hereby modified as follows:

1. By deleting therefrom the imprisonment term of 52 months as to Count 1 of Indictment and inserting in lieu thereof a term of imprisonment of 22 month as to Count 1. Except as herein modified, the Judgment of this court is, in all respects, ratified and confirmed.

This 15 July 2009.

Senior U.S. District Judge